

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

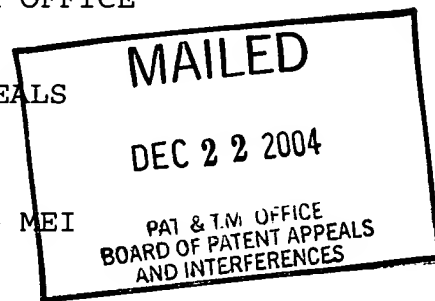
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte ROBERT A. STREET, PING MEI  
and JEFFREY T. RAHN

Application No. 09/898,321

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received electronically at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On June 20, 2004, appellants filed an amendment after final, both the Appeal Brief filed October 3, 2003 and the Examiner's Answer entered January 5, 2004 indicate that this amendment has been entered. A review of the record indicate the amendment was not physically entered.

Accordingly, it is

**ORDERED** that the application be returned electronically to the Examiner to physically enter the amendment filed on June 20, 2003, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Program and Resource Administrator  
(703) 308-9797

DMS/dal  
RA05-0142

BEVER, HOFFMAN & HARMS, LLP  
1432 CONCANNON BLVD  
BLDG G  
LIVERMORE CA 94550-6006